

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2022-___-A

IN RE: The Infrastructure Investment and Jobs Act and)
Related Grants and Loans Made Available to)
Electric, Natural Gas, Water, and Wastewater)
Public Utilities for Utility Infrastructure)
Improvements)
_____)

PETITION TO OPEN
ADMINISTRATIVE DOCKET
TO CONSIDER IJA FEDERAL
FUNDING

Pursuant to S.C. Code Ann. §§ 58-4-50 and -51, S.C. Code Ann. Reg. 103-825, and other applicable law, the South Carolina Office of Regulatory Staff (“ORS”) hereby petitions the Public Service Commission of South Carolina (“Commission”) to open an administrative docket and require electric, natural gas, water, and wastewater utilities subject to the Commission’s jurisdiction and allow other interested parties to provide comments and information regarding the federal Infrastructure Investment and Jobs Act of 2021, Pub. L. No. 117-58, 135 Stat. 429 (2021) (“IIJA”) and related grants and loans made available to electric, natural gas, water, and wastewater public utilities for utility infrastructure improvements. In support thereof, ORS would respectfully show as follows:

1. On November 15, 2021, the President of the United States of America signed into law the IIJA, which authorized \$1.2 trillion for transportation and infrastructure spending, including certain funds designated for utility infrastructure projects.

2. Among other things, the IIJA authorizes:

- a. grants to strategically deploy electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling

- infrastructure that is directly related to the charging or fueling of a vehicle (IIJA § 11401);
- b. a grant program to support activities that reduce the likelihood and consequence of impacts to the electric grid due to extreme weather, wildfire, and natural disaster. (IIJA § 40101);
 - c. loans under a transmission facilitation program (IIJA § 40106);
 - d. additional funding for the Smart Grid Investment Matching Grant Program, originally established as part of the Energy Independence and Security Act of 2007, to provide flexibility and help quickly rebalance the electrical system, facilitate the aggregation or integration of distributed energy resources, provide energy storage to meet fluctuating, provide voltage support, integrate intermittent generation sources, increase the network's operational transfer capacity, and anticipate and mitigate impacts of extreme weather events or natural disasters on grid resilience (IIJA § 40107);
 - e. incentive payments to qualifying hydroelectric facilities (IIJA §§ 40331-40334);
 - f. the establishment of a demonstration project for a pumped storage hydropower project to facilitate the long-duration storage of intermittent renewable electricity (IIJA § 40334);
 - g. additional funding for various demonstration and pilot projects, such as energy storage demonstration projects, advanced nuclear reactor demonstration projects, and hydropower projects (IIJA, Title X);

- h. grants to connect low-income households to public water systems (IIJA § 50104); and
- i. grants to public water systems to increase resilience and reduce cybersecurity vulnerabilities (IIJA § 50107).

3. The IIJA also creates a program of federal financial assistance to States, to be used in coordination and collaboration with electric sector owners and operators, in order to demonstrate innovative approaches to transmission, storage, and distribution infrastructure to harden and enhance resilience and reliability and to demonstrate new approaches to enhance regional grid resilience.

4. Because of the benefits made available to utilities pursuant to the IIJA, ORS believes that the electric, natural gas, water, and wastewater utilities under the Commission's jurisdiction should fully and carefully consider these grants, loans, and incentives and whether they will promote the concerns of the using and consuming public with respect to utility services and preserve continued investment in and maintenance of utility facilities so as to provide reliable and high quality services to utility customers at reasonable rates.

5. In order to analyze and inform the Commission and interested parties about the benefits provided by the IIJA, ORS respectfully requests that the Commission open a docket and require electric, natural gas, water, and wastewater utilities subject to the Commission's jurisdiction and allow other interested parties to provide comments and other information regarding whether and how those benefits should be employed by utilities in South Carolina and each utility's plan to avail itself of those benefits. Specifically, ORS would request that the Commission require these utilities to provide comments and other information that, at a minimum, addresses or identifies the following:

- a. All federal programs under the IIJA that are available to South Carolina public utilities;
- b. How the federal programs under the IIJA can promote the concerns of the using and consuming public with respect to utility services and preserve continued investment in and maintenance of utility facilities so as to provide reliable and high-quality services to utility customers at reasonable rates;
- c. The necessary actions for South Carolina utilities to access funds available pursuant to the IIJA;
- d. Any impediments to accessing the funds available pursuant to the IIJA;
- e. Any entities, public or private, with which South Carolina utilities should coordinate in order to access funds pursuant to the IIJA;
- f. Any other actions or information that may be appropriate for the Commission to consider regarding the IIJA or that would facilitate the receipt and deployment of available IIJA funding within South Carolina.

6. ORS further respectfully requests that the Commission establish a procedural schedule for this docket, including deadlines by which any comments and responsive comments would be due.

WHEREFORE, ORS respectfully requests that the Commission open an administrative docket and require electric, natural gas, water, and wastewater utilities subject to the Commission's jurisdiction and allow other interested parties to provide comments and information regarding the IIJA and related grants and loans made available to electric, natural gas, water, and wastewater public utilities for utility infrastructure improvements. ORS further requests that the Commission establish a procedural schedule for this docket, including deadlines by which any comments and

responsive comments would be due. Finally, ORS respectfully requests that the Commission grant such further and other relief as may be appropriate and warranted.

Respectfully submitted,



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May 9, 2022